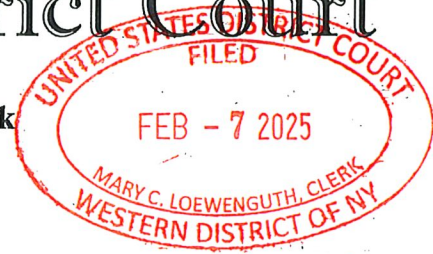


# United States District Court

for the  
Western District of New York



United States of America

v.

Case No. 25-mj- **5009**  
(Filed Under Seal)

**ABRAHAM ULISES JIMENEZ-LICONA**

*Defendant*

*Amended*

## CRIMINAL COMPLAINT

I, Mark Jann, Task Force Officer, Homeland Security Investigations, state that the following is true to the best of my knowledge and belief.

On or about February 6, 2025, in the County of Erie, in the Western District of New York, the defendant violated 8 United States Code § 1326(a), an offense described as follows:

The defendant did commit the offense of unlawful re-entry after deportation or removal, in violation of 8 United States Code § 1326(a), in that he, a citizen and national of Mexico, having been issued an Order of Removal from the United States to Mexico on or about May 1, 2012, was thereafter unlawfully found in the United States on February 6, 2025, without first having obtained the consent of the Attorney, or his successor, the Secretary of the Department of Homeland Security. *General of the United States or any*

**All in violation of Title 8, United States Code, Section 1326(a).**

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.

**MARK E JANN** Digitally signed by MARK E JANN  
Date: 2025.02.06 16:25:58 -05'00'

*Complainant's signature*

MARK JANN  
TASK FORCE OFFICER  
HOMELAND SECURITY INVESTIGATIONS

*Printed name and title*

Sworn to and signed telephonically,

Date: February 6, 2025

*Michael J. Roever*  
*Judge's signature*

City and State: Buffalo, New York

HONORABLE MICHAEL J. ROEMER  
UNITED STATES MAGISTRATE JUDGE

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

STATE OF NEW YORK     )  
COUNTY OF ERIE        )     SS:  
CITY OF BUFFALO        )

**MARK JANN**, being duly sworn, deposes and states:

1. I am an Enforcement Officer with United States Customs and Border Protection (CBP) currently assigned as a Task Force Officer with Homeland Security Investigations (HSI) within the Department of Homeland Security (DHS) and have been so employed in immigration law enforcement for the past twenty-eight years. In such capacity, my duties include investigating individuals suspected of violating federal immigration laws and other related federal statutes.

2. As part of my current duties, I have become involved in an investigation of a suspected violation of Title 8 United States Code, Section 1326(a).

3. I make this affidavit in support of the annexed criminal complaint charging Abraham Ulises Jimenez-Licon, (herein after referred to as Jimenez-Licon), an alien, born 1987, in Mexico, a Citizen of Mexico, with being found in the United States after having been deported or removed from the United States in violation of Title 8 United States Code, Section 1326(a).

4. The statements contained in this affidavit are based upon my personal knowledge and upon information provided to me by other law enforcement officers. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that Jimenez-Licona did knowingly violate Title 8 United States Code, Section 1326(a).

5. On or about April 26, 2024, agents met with a Confidential Source (CS), who provided information about Abraham Ulises Jimenez-Licona. More specifically, that he was a manager at a local restaurant on Nagara Falls Boulevard, that that he was employing illegal aliens at the restaurant. The CS also informed law enforcement that Jimenez-Licona was previously deported.

6. Immigration record checks related to Alien File number: A200562XXX revealed that Jimenez-Licona was ordered deported after violating a voluntary departure by an immigration judge in Batavia, New York. Jimenez-Licona was removed to Mexico by foot at or near Brownsville, Texas on June 8, 2012. Also, Jimenez-Licona was removed a second time to Mexico by foot at or near Brownsville, Texas on July 26, 2021.

7. At approximately 11:15 a.m. on February 6, 2025, conducted a traffic stop on the street at the location around and near 37 Tennyson Terrace, Amherst, New York, by HSI Task Force Officer Steve Drabinski, HSI Task Force Officer Joseph DellaPenta, HSI Task Force Officer Mike White, and HSI Special Agent Michael Dombek. The driver was visually identified by as Jimenez-Licona and he was driving a red 2017 Toyota Rav-4 bearing New



York registration HVY 5419. HSI TFO DellaPenta ordered him out of the vehicle and placed under administrative arrest for being in the United States without status. Jimenez-Licona was transported back to HSI Office for processing at 250 Delaware Avenue, Buffalo, New York.

8. Next, TFO White entered Jimenez-Licona's fingerprints into the Interagency Fingerprint Identification System (IAFIS) database to verify his identity and any immigration history in the United States. This scan resulted in an identical fingerprint match to FBI number FBI# 944415KXX, and an Immigration Fingerprint Identification number. The FBI and FIN numbers referenced Alien File number: A2005622XX.

9. A review of electronic immigration benefit records and a review of Alien File A2005622XX failed to reveal that Jimenez-Licona had applied for or received requisite permission from the Attorney General or the Secretary for the Department of Homeland Security to reenter the United States.

**WHEREFORE**, I respectfully submit the foregoing facts to establish probable cause to believe that on February 6, 2025, Abraham Ulises Jimenez-Licona, an alien, was found in the United States after having been previously deported or removed from the United States, without the requisite permission from the Attorney General of the United States or the Secretary for the Department of Homeland Security, in violation of Title 8, United States Code Section 1326(a).

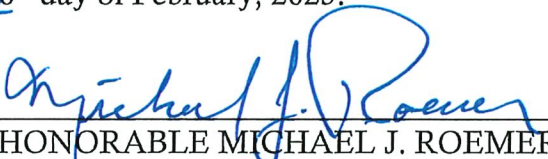
MARK E  
JANN

Digitally signed by MARK  
E JANN  
Date: 2025.02.06 16:27:06  
-05'00'

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MARK JANN  
Task Force Officer  
Homeland Security Investigations

Sworn to before me telephonically this  
7<sup>th</sup> 6<sup>th</sup> day of February, 2025.

  
HONORABLE MICHAEL J. ROEMER  
United States Magistrate Judge